

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

BENNIE OATES,

*

Plaintiff,

*

vs.

*

CASE NO. 4:18-CV-69 (CDL)

ENRICHMENT SERVICES PROGRAM,
INC.,

*

*

Defendant.

*

O R D E R

Some motions are easier to decide than others. This is one of those. Because Plaintiff has failed to plausibly allege that his sex was a motivating factor in Defendant's termination of his employment, his complaint pursuant to Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §§ 2000e to 2000e-17, must be dismissed.

Plaintiff, who is male, alleges that Defendant fired him when a subordinate female employee falsely accused him of sexual harassment, although Defendant knew that the female's accusation was false. The Plaintiff's complaint contains no factual allegation to support his conclusion that Defendant's actions were motivated in any way by Plaintiff's sex. His conclusory allegations and bare recitals of the elements of a claim are not enough. See *Ashcroft v. Iqbal*, 556 U.S. 662 (2009) and *Bell Atl.*

Corp. v. Twombly, 550 U.S. 544 (2007). Thus, Defendant's motion to dismiss (ECF No. 5) is granted.

This 30th day of October, 2018.

S/Clay D. Land

CLAY D. LAND

CHIEF U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA